

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, AUGUST 20, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, August 20, 1969 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON,
HUNNELL, SCHAFFER and
KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City
Manager Peterson, City Attorney Mullen and
Planning Director Schroeder.

PLEDGE

Mayor Hunnell led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Brown, Schaffer second, the
Minutes of August 6, 1969 were approved as written
and mailed.

PRESENTATION

C. LOFTUS

Mayor Kirsten presented Mr. Charles Loftus, Line Truck
Driver, a letter of commendation for his actions on
July 24, 1969 which prevented a serious accident.

COMMUNICATIONS

ABC LICENSE

A notice of application for alcoholic beverage license
was read for Lena E. Wylie, Nut Club, 25 North
Sacramento Street, on sale beer public premises.

"YIELD SIGNS"
CHESTNUT &
SCHOOL ST.
INTERSECTION

A letter was read from residents in the area of
Chestnut and School Streets requesting an investigation
of the traffic hazard at this intersection.

RES. NO. 3297

City Manager Graves presented a report from Public Works
Director Jones which recommended that "yield" signs be
installed on Chestnut Street at the east and west approaches
to School Street.

On motion of Councilman Schaffer, Culbertson second,
the Council unanimously adopted Resolution No. 3297
establishing yield right of way signs on Chestnut
Street at both the east and west approaches to School
Street.

ALLEY ABAN-
DONMENT
REQUEST

A letter was read from Edgar W. Beoshanz requesting
the abandonment of an alley on the south side of the
property located at 124 East Pine Street.

SW COR PINE
& STOCKTON STS
IMPROVEMENTS

A letter was also read from Edgar W. Beoshanz
requesting the City to widen Stockton Street and replace
curb and gutter on Pine Street at the southwest corner
of Pine and Stockton Streets in conjunction with the
sidewalk improvements planned by Mr. Beoshanz.

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LCC VOTING
DELEGATE

Correspondence was received from the League of California Cities requesting that each City Council designate a voting delegate and an alternate voting delegate for the business session at the Annual League Conference, September 28 - October 1, 1969.

Councilman Culbertson moved that Mayor Kirsten be designated as the City's voting delegate and Vice Mayor Schaffer the alternate voting delegate. The motion was seconded by Councilman Brown and carried by unanimous vote.

LIBRARY

The Councilmen reported they had each received a letter from a local citizen supporting the Library Board's proposal for the establishment of a library construction fund.

KOFU

Councilman Hunnell reported that he had received a letter from the Mayor of Kofu stating that he would be unable to attend the Kofu Park dedication to be held in August or September of this year.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$430,237.50 were approved on motion of Councilman Culbertson, Schaffer second.

CITY CAB CO.
TRANSFER TO
MELVIN J. BROWN

A request had been received from Mr. and Mrs. Doyle Brown to transfer their permit to operate the City Cab Company within the City limits to Mr. and Mrs. Melvin J. Brown. The transfer requires approval of the City Council. Mr. Graves stated a background check had been made on Mr. and Mrs. Melvin J. Brown and was satisfactory. Councilman Culbertson moved that the transfer of the taxicab permit to Mr. and Mrs. Melvin J. Brown be approved. The motion was seconded by Councilman Brown and carried by unanimous vote.

SPECS - SUBD.
PAVING 1969

On motion of Councilman Brown, Schaffer second, the Council approved specifications for the Subdivision Paving 1969 and authorized advertising for bids thereon.

SPECS - STREET
MATERIALS 1969-70

On motion of Councilman Hunnell, Brown second, the Council approved specifications for the Street Materials for 1969-70.

ACCEPT TURNER
ROAD WIDENING

On motion of Councilman Brown, Schaffer second, the Council accepted the Turner Road Widening Project as complete and authorized the Public Works Director to file the Notice of Completion on the project.

TOKAY-HUTCHINS
SCHOOL CROSSING

The discussion of the school crossing at the Tokay and Hutchins Street intersection having been continued from the meeting of August 6, 1969, City Manager Graves reported that the Public Works Director had done further research relative to the use of adult crossing guards versus school traffic signals. The City Manager stated the intersection meets warrants established for crossing

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guards but does not meet warrants established for school area traffic signals. After Council discussion, Councilman Hunnell moved that the matter be continued to the meeting of September 3, and requested the staff to communicate with School Officials to determine the future of Needham School relative to the projected student attendance and grade levels and report back to the Council at the meeting of September 3, 1969. The motion was seconded by Mayor Kirsten and carried by unanimous vote.

Councilman Brown expressed concern that no action would be taken on the above matter prior to the opening of school in September. Mayor Kirsten then requested the City Manager to instruct the Police Chief to maintain stricter enforcement of the traffic laws at this intersection.

SPHERES OF INFLUENCE

RES. NO. 3298

At the meeting of August 6, 1969 the City Council discussed the recommendation of the City Planning Commission concerning spheres of influence and continued the discussion to this meeting. City Manager Graves asked Junior Planner Gene Smith to review the report of the City Planning Commission recommending the establishment of Spheres of Influence for the City of Lodi as requested by the Local Agency Formation Commission. Mr. Smith reviewed the report and answered questioned of the Council.

After discussion of the recommendation, Councilman Schaffer moved adoption of Resolution No. 3298 adopting Spheres of Influence as recommended by the City Planning Commission and recommended the same for adoption to the Local Agency Formation Commission of San Joaquin County. The motion was seconded by Councilman Culbertson.

Under the question, Councilman Hunnell stated that it should be made clear that by the adoption of the Spheres of Influence this did not obligate the City to provide utilities or any other services to future developers.

The motion was then passed by unanimous vote.

LUSD REQUEST ADDL LOADING ZONE

RES. NO. 3299

City Manager Graves reviewed the recommendation of the Public Works Director concerning the request of the Lodi Unified School District for an additional 132 feet on the west side of Hutchins Street to be designated a no parking zone from 8 a.m. to 4 p.m. during school days. The Public Works Director recommended the following zones for the west side of Hutchins Street between Oak and Walnut Street:

- a. A bus loading zone in the south 280 feet of the north 300 feet and a passenger loading zone in the south 178 feet of the north 478 feet; or
- b. A bus loading zone in the south 280 feet of the north 300 feet and a passenger loading zone on the balance of the block.

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After discussion, Councilman Schaffer moved adoption of Resolution No. 3299 establishing a bus loading zone in the south 280 feet of the north 300 feet and a passenger loading zone on the balance of the block on the west side of Hutchins Street between Oak and Walnut Streets from 8 a.m. to 4 p.m. on school days. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

REQUEST FOR
ALLEY ABAN-
DONMENT

The Council discussed the request of Mr. Edgar W. Beoshanz for abandonment of the alley between Pine and Oak Streets west of Stockton Street and on motion of Councilman Schaffer, Culbertson second, referred the matter to the Planning Commission for report.

SW COR PINE
& STOCKTON ST.

The Council then discussed Mr. Beoshanz' request for the City to widen Stockton Street at the southwest corner of Stockton and Pine Streets as well as to replace the curb and gutter on Pine Street.

Councilman Culbertson moved that the City widen South Stockton Street on the west side of the street from Pine Street south to the alley and also replace the curb and gutter on Pine Street as requested. The motion was seconded by Councilman Brown and carried by unanimous vote.

LATE CLAIM
FOR INJURIES
J. BORRIS

On recommendation of City Attorney Mullen, Councilman Hunnell moved the application for leave to file late claim of Mrs. Jessie Borris be approved. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

On motion of Councilman Hunnell, Brown second, the Council then denied the claim of Mrs. Jessie Borris in the amount of \$6,000 and referred it to the City's Agent of Record, Max Elson.

A-2 BASIN
AGREEMENT

At the meeting of June 18, 1969 the City Manager presented an offer from the Westmont Development Company proposing to sell to the City land for A-2 Basin. The offer included excavation of the basin at no cost to the City. At that meeting the Council authorized purchase of the basin. The City Attorney had since drawn up an agreement between the Westmont Development Company and the City of Lodi for purchase by the City of approximately 16.64 acres to be used as a ponding basin (A-2 Basin) for a total purchase price of \$74,880. The City Manager presented this agreement for Council approval. Also made a part of the agreement was a Grading Plan which outlined grading specifications and called for grading to be plus or minus 0.1 foot of the grades.

Mr. Robert Houston of the Westmont Development Company stated his Company had made an agreement with Claude C. Wood Company to excavate the dirt from the basin and he objected to the grading specifications established by the City as he felt they were

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excessive. He explained the Claude C. Wood Company's offer was to excavate the dirt from the storm drainage basin but was based on grading tolerances of three inches. He also mentioned that the City's agreement called for extra fill and a bicycle path around the basin which had not been included in other basins.

Public Works Director Jones explained that the City specifications for removal of dirt had remained the same since 1967 and these specifications were outlined in a brochure distributed by the City. These specifications being that grading of the basin be to plus or minus 0.1 foot of the grades. The developer then proposed that the grading tolerances be three inches with 0.1 foot on the bottom of the basin. After further discussion of the grading tolerances as well as the extra fill and the proposed bicycle path, Councilman Hunnell moved the grading tolerances be 0.1 foot on the top and bottom of the basin and three inches on the side slopes; that the City staff be authorized to negotiate the agreement with the Westmont Development Company relative to the extra fill and the bicycle path; the Mayor be authorized to sign the agreement on behalf of the City, and if a mutually satisfactory agreement could not be reached the staff should call a special meeting of the City Council before September 1, 1969. The motion was seconded by Councilman Culbertson and carried by the following vote:

Ayes: Councilmen - Hunnell, Schaffer and Kirsten

Noes: Councilmen - Brown and Culbertson

H. MASON PROPERTY RENTAL

City Manager Graves read a letter from Mr. Howard Mason requesting permission to rent from the City of Lodi a strip of land 150 feet by 200 feet immediately north of Mr. Mason's property on Main Street for the balance of the 1969 grape season for the purpose of storing grape shook and nailing boxes. Mr. Mason had submitted a check in the amount of \$100 for the rental of the property. On motion of Councilman Culbertson, Hunnell second, the Council approved Mr. Mason's request and accepted the check in the amount of \$100 for rental of the property.

REPORT RE AIR CONDITIONERS

City Manager Graves presented the report submitted by the Public Works Director concerning regulations of other cities with regard to air conditioning units. He reported that some cities did have regulations concerning air conditioning units but there were no regulations controlling the noise output of the unit.

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BUDGET

LIBRARY - TAX On motion of Councilman Culbertson, Schaffer seconded, the Council unanimously adopted Resolution No. 3300 increasing the tax rate for the library services from 20 cents to 30 cents per \$100 assessed valuation with this increased amount to be set aside together with the interest accumulated, to be used for a library construction fund.

CAPITAL OUTLAY- The City Council reviewed the Capital Outlay Budget
UTILITY OUTLAY for fiscal 1969-70 as presented by the City Manager.
BUDGETS ADOPTED (The Utility Outlay Budget had been discussed at the
meeting of July 18, 1969.) The Council agreed the
ORD. NO. 906 "Softball Complex - Phase I" account should be
INTRODUCED increased by \$26,500. After further review, Councilman Culbertson moved introduction of
Ordinance No. 906 adopting the Capital Outlay Budget
as amended and the Utility Outlay Budget as presented.
The motion was seconded by Councilman Schaffer and
carried by unanimous vote.

1969-70 TAX RATE Councilman Culbertson moved the adoption of
Resolution No. 3301 fixing the tax rate for fiscal
RES. NO. 3301 1969-70 as follows:

General Fund	\$0.98
Pension Fund	0.20
Storm Drain Fund	0.20
Library Fund	0.30
Total Tax Rate	\$1.68


The motion was seconded by Councilman Schaffer and carried by unanimous vote.

REPORT RE BOND FUNDS Councilman Culbertson questioned when the report regarding the bond funds would be available. Mayor Kirsten reported it would be completed and available in the near future.

EXECUTIVE At 11:25 p.m. the Mayor adjourned to executive session.
SESSION The Council reconvened at 11:50 p.m.

ADJOURNMENT

There being no further business, the Council adjourned at approximately 11:50 p.m.

Attest: 
BESSIE L. BENNETT
City Clerk